

Queensland



# **WATER RESOURCES AMENDMENT ACT 1999**

**Act No. 86 of 1999**



# Queensland



## WATER RESOURCES AMENDMENT ACT 1999

### TABLE OF PROVISIONS

| Section | Page   |
|---------|--|
| 1       | Short title . . . . . 4  |
| 2       | Commencement . . . . . 4   |
| 3       | Act amended . . . . . 4  |
| 4       | Amendment of s 25H (Draft plan must be readvertised if changed) . . . . . 4                            |
| 5       | Amendment of s 25N (Effect of notice under s 25D on applications, agreements, sales, etc.) . . . . . 4 |
| 6       | Amendment of s 25P (Actions must not be inconsistent with water management plan) . . . . . 5           |
| 7       | Amendment of s 44 (Licences) . . . . . 5   |
| 8       | Amendment of s 46 (Renewal of licence) . . . . . 5   |
| 9       | Amendment of s 129 (Constitution of area and board) . . . . . 6  |
| 10      | Amendment of s 131 (Procedure before making regulation) . . . . . 6                                    |
| 11      | Replacement of pt 10, div 2 heading . . . . . 6  |
| 12      | Amendment of s 132 (Membership of boards) . . . . . 7  |
| 13      | Amendment of s 209 (Appointment of chief executive to administer area) . . . . . 7                     |
| 14      | Amendment of s 215G (Protection from liability) . . . . . 7  |
| 15      | Amendment of s 232 (Person may sell right to nominal allocation) . . . . . 7                           |
| 16      | Insertion of new ss 257 and 258 . . . . . 7  |
| 257     | Areas continued in existence . . . . . 7   |
| 258     | Remaking certain subordinate legislation . . . . . 8   |



Queensland



## **Water Resources Amendment Act 1999**

**Act No. 86 of 1999**

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***An Act to amend the *Water Resources Act 1989****

***[Assented to 14 December 1999]***

**The Parliament of Queensland enacts—****Short title**

1. This Act may be cited as the *Water Resources Amendment Act 1999*.

**Commencement**

2.(1) Section 14 commences on the day the *South East Queensland Water Board (Reform Facilitation) Act 1999*, section 13, commences.

- (2) The remaining provisions commence on assent.

**Act amended**

3. This Act amends the *Water Resources Act 1989*.

**Amendment of s 25H (Draft plan must be readvertised if changed)**

4. Section 25H—

*insert—*

‘(3) This section does not apply if the difference—

- (a) corrects a minor error in the draft plan of which the notice was given; or
- (b) is not a change of substance; or
- (c) is merely the expression of the draft plan in a way that is different from, and not inconsistent with, the draft plan of which the notice was given.’

**Amendment of s 25N (Effect of notice under s 25D on applications, agreements, sales, etc.)**

5. After section 25N(1)(b)—

*insert—*

‘(ba)the chief executive must not deal with an application made under section 44(2) about works, or the taking of water, in the area; and’.

**Amendment of s 25P (Actions must not be inconsistent with water management plan)**

**6.** After section 25P(2)(b)—

*insert—*

‘(ba)dealing with an application made under section 44(2) about works, or the taking of water, in the area; or’.

**Amendment of s 44 (Licences)**

**7.** Section 44(1)(f)—

*omit.*

**Amendment of s 46 (Renewal of licence)**

**8.(1)** Section 46(1)—

*renumber* as section 46(1A).

**(2)** Before section 46(1A), as renumbered—

*insert—*

‘**46.(1)** A licensee may apply for renewal of the licence.’.

**(3)** Section 46—

*insert—*

‘**(1B)** The chief executive may—

- (a) grant the application in a way mentioned in subsection (3)(a)(i) or (ii); or
- (b) refuse to grant the application.’.

### **Amendment of s 129 (Constitution of area and board)**

**9.(1)** Section 129, heading—

*omit, insert—*

**‘Constitution of area and establishment of board’.**

**(2)** Section 129(1)(i), ‘constitute’—

*omit, insert—*

‘establish’.

**(3)** Section 129(2), ‘constituted’—

*omit, insert—*

‘established’.

### **Amendment of s 131 (Procedure before making regulation)**

**10.** Section 131(3)(b)(i), after ‘and’—

*insert—*

‘establish’.

### **Replacement of pt 10, div 2 heading**

**11.** Part 10, division 2, heading—

*omit, insert—*

***‘Division 2—Membership of boards’.***



**Amendment of s 132 (Membership of boards)**

**12.** Section 132, heading—

*omit, insert—*

**‘Membership’.**

**Amendment of s 209 (Appointment of chief executive to administer area)**

**13.** Section 209, ‘constituted,’—

*omit, insert—*

‘established,’.

**Amendment of s 215G (Protection from liability)**

**14.** Section 215G(2), ‘A company official who observes’—

*omit, insert—*

‘The company, or a company official, in observing’.

**Amendment of s 232 (Person may sell right to nominal allocation)**

**15.** Section 232(4)—

*insert—*

‘(aa) the exercise by the purchaser of the rights to a nominal allocation acquired under the sale; and’.

**Insertion of new ss 257 and 258**

**16.** After section 256—

*insert—*

**‘Areas continued in existence**

**‘257.** To remove any doubt, it is declared that an area, other than an

irrigation area or drainage area, constituted under section 1.3(g)<sup>1</sup> of this Act as originally enacted, is, and always was, constituted as a water supply area.

**‘Remaking certain subordinate legislation**

**‘258.(1)** The procedures stated in section 131 for making a regulation under section 129<sup>2</sup> do not apply to a regulation remaking subordinate legislation made under section 129 and in force immediately before the commencement of this section.

**‘(2)** Subsection (1) applies despite section 129(10).

**‘(3)** This section expires on 30 June 2000.’

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<sup>1</sup> Section 1.3 (Repeals and savings) of the Act as originally enacted

<sup>2</sup> Section 129 (Constitution of area and establishment of board)